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SUBJECT: SCENESETTER: APHSCT TOWNSEND VISIT TO KUWAIT,
NOVEMBER 3-4, 2006

REF: A) KUWAIT 3597 B) KUWAIT 4178 C) 05 KUWAIT 5283

Classified By: CDA Matt Tueller for Reasons 1.4 (b) and (d).

¶1. (S/NF) Embassy Kuwait welcomes your visit, which comes in the general framework of a longstanding and productive CT relationship between Kuwait and the United States, and continued close, effective cooperation on the ground across a range of issues. During your visit, you will meet with several key Kuwaiti players on CT issues, including First Deputy Prime Minister, Interior and Defense Minister Shaykh Jabar Al-Mubarak Al-Sabah, Foreign Minister Shaykh Dr. Mohammed Al-Salem Al-Sabah and National Security Bureau President Shaykh Ahmed Al-Fahad Al-Sabah. The United States enjoys a strong intelligence-sharing relationship with Kuwait in a number of critical areas, including for protection of the thousands of U.S. troops who are present in or transit Kuwait and a robust coordinated effort on selected terrorist targets in Iraq. In the military context, Kuwait has been a strong partner. It devotes a high level of intelligence and effort to protecting our large military presence in Kuwait. Our massive troop and equipment convoys that travel constantly on Kuwaiti highways are probably the most visible targets for attack. These have not been attacked successfully despite some occasional reports of plotting. Kuwait is currently drafting new legislation to criminalize terrorist financing. There has been a marked improvement in the GOK's regulation of the domestic activities of Kuwaiti charities, yet we remain concerned about the activities of overseas branches of some Kuwaiti charities such as the Revival of Islamic Heritage Society (RIHS) (ref a).

¶2. (S/NF) We also continue to be concerned by Kuwait's co-optation policy that seeks to moderate and control Kuwait-based extremists, activities inside Kuwait, but does much less to moderate facilitation of terror activities and jihad by Kuwaitis related to Iraq and Afghanistan. However, we have not seen in Kuwait the same level of regime dissatisfaction and organized radical terrorism as in Saudi Arabia. The most recent clashes with terrorists, in January 2005, were pre-emptive moves based on information from intelligence, partially provided by family members of the terrorists. No U.S. or Kuwaiti targets in Kuwait have been hit by terrorists since an attack on U.S. contractors outside Camp Doha in January 2003.

Cooperation in Tracking and Apprehending Extremists

¶3. (S/NF) The United States enjoys an excellent information-sharing relationship with Kuwaiti CT officials, particularly in regard to disrupting support networks comprised of non-Kuwaiti extremists. However, at times the Kuwaitis are less forthcoming with regard to Kuwaiti networks, unless there is a clear and present danger to Kuwaiti or U.S. interests inside the country. Often, this

stems from the Kuwaiti leadership's belief that it can prevent the emergence of major terror threats through a policy of dialogue and co-optation with extremists. While this policy has been arguably successful in preventing terrorist attacks inside Kuwait since January 2005, it is less effective in preventing Kuwaiti extremists from continuing their efforts to send money (to the Palestinian territories) and fighters (in the case of Iraq and the Pakistan/Afghanistan theater) outside Kuwait to confront us, and our allies, in these locations.

¶4. (S/NF) Kuwait has arrested low-level terrorists but has failed to locate core Sunni extremists, including Muhsin Al-Fadhli and Khalid Al-Dusari, both prominent Sunni extremists who were convicted in absentia for their roles in the 2005 plotting against Kuwaiti and U.S. targets. Both Fadhli and Dusari are fugitives and their current whereabouts are unknown. While we have no indications that either Fadhli or Dusari are currently active, Fadhli is wanted by both Saudi and MNF-I forces for his connections to active networks, and because of intelligence gaps, we cannot account for his activities in the last year. Fadhli was a major financier of Iraq-based Sunni extremist forces and both have been associated with Al-Qaida and Zarqawi networks.

¶5. (S/NF) The greater threat arises from the presence of active AQSL-affiliated facilitation networks moving funds and fighters to confront our forces and interests in Iraq and the Pakistan/Afghanistan theater. Moreover, the GOK's acquiescence in allowing HAMAS fund raising and visits of senior representatives also serves to undermine U.S. policy related to the Middle East Peace Process. Kuwait has detained and deported several non-Kuwaiti residents engaged in moving money and people to the insurgency, and engaging in

KUWAIT 00004220 002 OF 003

internet propaganda for Al-Qaida in Iraq.

Guantanamo Detainees

¶6. (S/NF) Five Guantanamo detainees were transferred to Kuwaiti custody in November 2005. The government brought terrorism-related charges against them, but in June of this year, all five were acquitted by the court of all charges, and four were subsequently released. One remains in prison on unrelated assault charges. Last month, two more Guantanamo detainees were transferred to Kuwaiti custody. The GOK has not decided whether to bring charges against the two recent transferees. Four Kuwaitis remain at Guantanamo. Vocal family groups keep the issue in Kuwaiti headlines, and you may hear from your Kuwaiti interlocutors about the issue.

Terrorist Financing Issues

¶7. (S/NF) Within the last two years, the Government of Kuwait has taken important steps to strengthen its anti-money laundering and terrorist finance regimes by establishing a charities oversight office, drafting amendments to its anti-money laundering laws, and prohibiting fundraising at mosques and through charity kiosks. Kuwait has also begun to play a leadership role in the MENA/FATF by hosting regional training sessions on charities and cash smuggling issues. While this represents important progress, there are a number of ways the GOK can further improve its terrorist finance efforts, including:

-- Empowering and expanding the purview of the charities oversight office to monitor and regulate not only charities in Kuwait, but the foreign offices of Kuwait-based charities as well;

-- Increasing cooperation and information sharing with foreign governments that host offices of Kuwait-based

charities;

-- Bolstering cooperation with USG counterparts to improve draft amendments to its anti-money laundering laws and expedite passage of those amendments into law, including revision of Law No. 35 to meet international standards;

-- Creating an independent Financial Intelligence Unit (FIU), or at a minimum increasing the law enforcement and intelligence authorities of its existing FIU, and relocating it to a law enforcement or intelligence ministry, as opposed to the Central Bank, if necessary;

-- Strengthening cash declaration requirements and enforcement at its borders and enacting monetary export controls to help stem the flow of funds couriered from wealthy donors in Kuwait to HAMAS, Lebanese Hizballah, and other terrorist groups;

-- Increasing cooperation and information sharing with the USG regarding individuals (such as Jabir Jalalmah, Mubarak Mishkhas Sanad Al-Bathali, and Hamid Al- Ali) and Kuwait-based charitable organizations (such as the Revival of Islamic Heritage Society, or RIHS) of terrorist finance concern.

-- Expand the GOK role as a regional and Islamic world leader by ratifying the UN Convention for the Suppression of Financing of Terrorism and by actively supporting and participating in the UNSCR 1267 regime for designation and sanctioning of individuals and organizations who provide material support to terrorism.

-- Enforcing laws against illegal hawaladar (informal money transfers) activities.

Security of Critical Energy Infrastructure

¶8. (S/NF) The GOK and Kuwait Petroleum Company KPC) have received numerous assessments and recommendations from private-sector security contractors regarding the physical security of critical energy facilities. Since the February incident at the Abqaiq facility in Saudi Arabia, security at critical sites has become a higher priority receiving close attention from the highest levels of KPC, the Ministry of Energy, and the Ministry of Interior. Significant enhancements have been implemented in recent months, especially at the critical Mina Al-Ahmadi refinery

KUWAIT 00004220 003 OF 003

facilities. These include improved access control systems, installation of additional surveillance equipment, and extension and reinforcement of perimeter fencing. KPC has created a new subsidiary company to train security personnel and manage security across all of KPC's facilities. The problems of greatest concern are now vulnerability to attack from the sea and poor dissemination of relevant, actionable intelligence from the ministerial level down to the working level. In recent meetings with the Minister of Energy and the Chairman of KPC, the Ambassador offered USG assistance to enhance the security of Kuwait's energy infrastructure. The Minister and Chairman said security assistance issues would need to be taken up with the Interior Ministry and National Guard.

Strengthening the Legal System

¶9. (S/NF) Kuwait's legal system does not adequately address many internationally recognized crimes, such as membership in a terrorist organization, weapons trafficking, conspiracy and violent jihad committed in foreign countries. Hamid Abdallah Ahmad Al-Ali, a radical imam who supports terrorists in Kuwait and openly advocates jihad, was

acquitted for his role as a spiritual adviser to the gunmen involved in shootouts in which four government employees were killed in January 2005. In the same case, six defendants were sentenced to death and several others to long sentences or hard labor. While it would be difficult to undertake the necessary reforms, and there would be a degree of opposition in Parliament, such legislation likely could be implemented with strong government support.

Teaching Moderation

¶10. (C/NF) Kuwait's Ministry of Awqaf and Islamic Affairs launched an initiative in 2005 to spread moderation among Muslims and present Islam as a moderate religion to non-Muslims (ref b). The Ministry has recently opened its World Moderation Center (WMC), a special agency to implement the initiative. Moderation activities, such as training of Imams and Islamic studies teachers and international conferences, have taken place over the past 18 months and are ongoing. The Ministry has welcomed U.S. cooperation in the initiative, and will host a Washington Conference in mid-November for U.S. Muslims. Here in Kuwait, the WMC has administered a mandatory 45-day training course for Kuwaiti Imams, and will soon begin similar training for Islamic Studies teachers in Kuwaiti schools. In the past year Kuwait's Ministry of Education also hosted what it billed as the "First International Conference on the Educational Dimensions in the Treatment of Terrorism and Extremism Phenomena," aimed at bringing together Arab and European NGOs and Governments to explore the nexus between education and extremism (ref c). Post has successfully used International Visitors Programs to bring young Kuwaiti Imams to the United States with the cooperation of the Awqaf Ministry, though funding issues in Washington have limited the extent of these programs.

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